

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

OP.No. 22981 of 1999(J)

PETITIONER:

**P.R.JAYASEELAN, AGED 32 YEARS,
S/O. PARAMESWARAN ACHARI,
THE PROPRIETOR PLAMOOTTIL FASHION
JEWELLERS'.
N.P. IX/1046 E, AR SHOPPING COMPLEX,
VENJARAMOODU, THIRUVANANTHAPURAM
PERMANENTLY RESIDING AT RETHINA
BHAVAN, KAWALAYOOR, THIRUVANANTHAPURAM.**

**BY ADV. SRI.THIRUMALA P.K.MANI
SRI.PRAVEEN VYASAN**

RESPONDENTS:

- 1. ABDUL RUB, RIYAZ MANZIL,
KULAMUTTOM, VARCKALA,
CHIRAYINKIZHU TALUK, THIRUVANANTHAPURAM.**
- 2. S.I. OF POLICE, VENJARAMOODU,
THIRUVANANTHAPURAM.**
- 3. C.I.OF POLICE, VENJARAMOODU,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.R.S.KALKURA
SRI.S.R.AJITH**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

OP. NO.22981/1999

ORDER ON CMP. NO.38161/1999 IN OP. NO.22981/1999

DISMISSED

03.10.2007

SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REGISTRATION CERTIFICATE NO.0910 15748 DT. 28.9.95.

EXT.P2:- COPY OF THE LICENCE ISSUED BY NELLANADU GRAMA PANCHAYATH DT. 17.10.98.

EXT.P3:- COPY OF THE TELEPHONE BILL DT. 11.10.96.

RESPONDENTS EXHIBITS

EXT.R1:- COPY OF THE REPRESENTATION DT. 10.7.99.

EXT.R1: COPY OF THE F.I.R. IN CRIME NO.264/99.

/TRUE COPY/

P.A. TO JUDGE

tss

THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.22981 OF 1999

Dated this the 3rd day of October, 2007

JUDGMENT

Learned Government Pleader appears for respondents 1 and 2. Service complete.

In view of the averments in the writ petition, in the counter affidavit and in the reply affidavit, it is obviously a case where the petitioner asserts possession of the land and the contesting first respondent asserts the right as its owner. This writ petition is nothing but “a glorified suit for injunction against trespass”. Since it is stated by the first respondent that there will be no eviction otherwise than through the due process of law, no directions are called for in this writ petition. The writ petition is hence, closed.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN,
Judge**

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.22981 OF 1999

JUDGMENT

3rd OCTOBER, 2007.

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